

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE**

United States of America

v.

Criminal No. 06-cr-022-01-PB

Richard Post

O R D E R

On February 19, 2013, the defendant appeared for an initial appearance on a supervised release violation dated February 8, 2013. The defendant requested both a probable cause hearing pursuant to Fed. R. Crim. P. 32.1(b)(1) and requested a detention hearing pursuant to Fed. R. Crim. P. 32.1(a)(6).

At the hearing, the government adduced evidence through the testimony of United States Probation Officer Chris Pingree, which is incorporated by reference herein, to establish probable cause to believe the defendant committed both of the violations listed in the supervised release violation.

On the issue of bail on a supervised release violation, the defendant bears the burden of establishing by clear and convincing evidence that he will not flee and that he poses no danger to any other person or to the community. Fed. R. Crim. P. 32.1(a)(6). Based on the content of the supervised release violation as well as the proffers and evidence presented at the hearing, and for the reasons thoroughly stated on the record, the court finds the defendant has failed to meet this burden and that

there are no conditions that are likely to assure the safety of the community.

Accordingly, it is **ORDERED** that the defendant be detained pending a final revocation hearing. The final revocation hearing is scheduled before Judge Barbadoro on March 25, 2013 at 10:30 am.

The defendant is committed to the custody of the Attorney General or his designated representative for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal. The defendant shall be afforded a reasonable opportunity for private consultation with defense counsel. On order of a court of the United States or on request of an attorney for the government, the person in charge of the corrections facility shall deliver the defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.

SO ORDERED.

/s/ Daniel J. Lynch
Daniel J. Lynch
United States Magistrate Judge

Date: February 20, 2013

cc: Counsel of Record
U.S. Marshal
U.S. Probation